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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/829,619	04/10/2001	Joseph Tesler	1481.007	7991

7590

11/29/2002

Morris E. Cohen  
Suite 217  
1122 Coney Island Avenue  
Brooklyn, NY 11230

EXAMINER

COLILLA, DANIEL JAMES

ART UNIT

PAPER NUMBER

2854

DATE MAILED: 11/29/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/829,619

**Applicant(s)**

TESLER, JOSEPH

**Examiner**

Dan Colilla

**Art Unit**

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 13-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

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## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election without traverse of claims 1-12 in Paper No. 8 is acknowledged.

### ***Specification***

2. The use of the trademarks QUARK, PLEXIGLAS, SCANMATE, NAZDAR, SERICOL, PLASTISOL and MYLAR have been noted in this application. They should be capitalized (i.e. every letter capitalized) wherever they appear and be accompanied by their generic terminologies.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

### ***Claim Objections***

3. Claims 1-12 are objected to because of the following informalities:

In claim 1, line 3, "said kosher parchment" has no proper antecedent basis in the claims. Previously, line 2 of the claim, applicant has recited "providing a section of parchment" but has not recited that it is kosher.

Similarly, in claim 6, line 3, "the kosher text" has no proper antecedent basis in the claim.

Claim 10 is entirely a double recitation of that which is recited in its parent claim.

Appropriate correction is required.

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***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Dei'ah veDibur article in view of Graham.

With respect to claims 1 and 6, the Dei'ah veDibur article discloses the claimed method except it is not known if the letters of the text are placed on the parchment with a single movement of a human hand. The Dei'ah veDibur article discloses that it is known to reproduce Jewish religious scrolls known as *megillas* on parchment paper using a silk screening method (see paragraphs 2-3 of the article). The specific details of the silk screen process are not mentioned in the article. However, Graham teaches that it is known to perform silk screening by drawing a squeegee over a stencil in one direction (Graham, col. 1, lines 30-35). It would have been obvious to combine the teaching of Graham with the method of silk screening disclosed by the Dei'ah veDibur article for the highly detailed precision that is afforded by moving the squeegee in only one direction. The determination of whether the resulting scroll is Kosher or not appears to be a subjective one as is noted by the differing perspectives in the present application and the Dei'ah veDibur article.

With respect to claims 2-5, there does not appear to be any unobviousness in the selection of content for the document being printed. It would be obvious to print whatever text that is desired to be communicated.

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6. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dei'ah veDibur in view of Graham as applied to claims 1-6 above, and further in view of Churchwell.

With respect to claim 7, Dei'ah veDibur in view of Graham discloses the claimed method for preparing a Jewish religious scroll except for the step of providing an ultraviolet ink. However, Churchwell teaches that it is known in silk screening processes to use an ultraviolet ink (page 1, paragraph 0005). It would have been obvious to combine the teaching of Churchwell for the quick curing advantages of ultraviolet of ink.

With respect to claim 8, Churchwell further teaches that it is known to use water-based inks in silk screening (page 1, paragraph 0006). A water based ink is heat sensitive since as the water evaporates from the ink due to application of heat, the ink will dry.

7. Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dei'ah veDibur in view of Graham as applied to claims 1-6 above, and further in view of Dunson.

With respect to claim 8, Dei'ah veDibur in view of Graham discloses the claimed method for preparing a Jewish religious scroll except that it is not known if the ink is heat sensitive. However, Dunson teaches that it is known to use heat sensitive ink in silk screening. In col. 4, lines 17-24, Dunson discloses that the ink is cured by bank of lamps 14. It would have been obvious to combine the teaching of Dunson with the method disclosed by Dei'ah veDibur in view of Graham for the advantage of the safety device for reducing scorch of the substrate being printed (Dunson, col. 3, lines 47-49).

With respect to claims 9-10, since the curing device taught by Dunson is a bank of lamps, it would illuminate the substrate while it is being dried.

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8. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dei'ah veDibur in view of Graham as applied to claims 1-6 above, and further in view of Hackett.

Dei'ah veDibur in view of Graham discloses the claimed method, except that it is not known if the content being reproduced is based on a pre-existing document. However, it is well-known in the silk screening art that reproducing an original image by use of a silk screen (Hackett, pg. 1, paragraph 0004). It would have been obvious to combine the teaching of Hackett with the method disclosed by Dei'ah veDibur in view of Graham for the advantage of creating copies of popular works. As mentioned above, there appears to be no unobviousness in the selection of the particular work that is being reproduced.

9. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dei'ah veDibur in view of Graham as applied to claims 1-6 above, and further in view of Libby.

Dei'ah veDibur in view of Graham discloses the claimed method except for etching grid lines into the parchment. However, Libby teaches that it is known to emboss a grid pattern in a writing media (Libby, col. 2, lines 40-48). It would have been obvious to combine the teaching of Libby with the method disclosed by Dei'ah veDibur in view of Graham for the advantage of using the embossed lines for aiding in layout and alignment of text or images on the media.

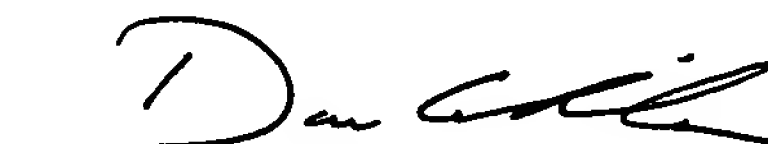
10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Granot is cited to show an example of a Jewish document that is silk screened. The Daily Daf is cited to show that it is known to etch sirtut lines

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11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dan Colilla whose telephone number is (703) 308-2259. The examiner can normally be reached M-F, 8:30-5:30. Faxes regarding this application can be sent to (703) 746-4405.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached at (703)305-6619. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

November 22, 2002



Dan Colilla  
Primary Examiner  
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